

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested.

Currently, claims 1, 4-26 and 29-33 are pending in this application.

Request for Approval of Replacement Drawing:

Applicant filed a replacement drawing for Fig. 2 and an annotated sheet showing changes with the Amendment/Response filed March 22, 2004. Applicant respectfully requests entry and approval thereof.

Rejection Under 35 U.S.C. §102:

Claims 1, 4-16, 21-26 and 29-31 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Iverson et al (U.S. '664, hereinafter "Iverson"). Applicant respectfully traverses this rejection.

For a reference to anticipate a claim, each element must be found, either expressly or under principles of inherency, in the reference. Each element of the claimed invention is not found in Iverson. For example, Iverson fails to disclose or even suggest encrypting data frames and then decrypting the data frames using keys.

Iverson's multimedia files are not encrypted. Instead, Iverson's method relies on a decoder that is trusted to only decode frames that are prefixed with a correct lock-word. The frames are in the clear (they are not encrypted). Another maliciously written decoder could therefore simply decode the frames by ignoring the lock-word protocol. In contrast, data frames are encrypted in the present invention.

With respect to the claim limitation of encrypting data frames, the Office Action apparently alleges that col. 4, lines 42-43 of Iverson discloses this feature. This portion

of Iverson states, “During real-time encoding, host processor 116 reads the captured bitmaps from memory device 112 via high-speed memory interface 110 and generates encoded radio signals that represent the captured video signals (emphasis added).” The Office Action thus has confused the terms “encrypting” and “encoding.” One of ordinary skill in the art would realize that there is a difference between “encrypting” and “encoding.” Indeed, Iverson discusses the disadvantages with encrypting multimedia files in col. 2, line 65 to col. 3, line 4. For example, this portion of Iverson states, *inter alia*:

“An encrypted multimedia file would have to be decrypted and stored to memory (e.g., hard drive) before being played. This may require a prohibitively expensive amount of memory space. In addition, the delays resulting from performing the decryption procedure may be undesirable for applications that are designed to play audio/video sequences to simulate real-time sound and motion.”

Iverson’s system including *encoding* data purports to overcome these deficiencies with respect to *encrypted* files. Accordingly, the teachings of Iverson itself describes that there is a difference between “encrypting” and “encoding.” These two terms mean different things as understood by Iverson and those skilled in the art.

Accordingly, Applicant respectfully submits that Iverson fails to teach or suggest all of the claim limitations and thus respectfully requests that the rejection of claims 1, 4-16, 21-26 and 29-31 be withdrawn.

New Claims:

New claims 32 and 33 have been added to provide additional protection for the invention. Since new claims 32 and 33 depend from independent claims 1 and 11,

FAIRMAN et al.
Application No. 09/555,929
August 16, 2005

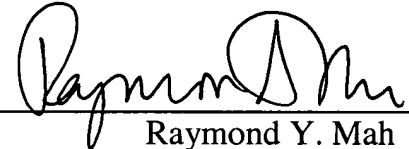
respectively, these new claims are allowable for at least the reasons discussed above with respect to these base independent claims. Dependent claims 32 and 33 further require that each frame is encrypted with a different key. This feature is clearly not disclosed by Iverson.

Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Raymond Y. Mah
Reg. No. 41,426

RYM:sl
901 North Glebe Road, 11th Floor
Arlington, VA 22203
Telephone: (703) 816-4044
Facsimile: (703) 816-4100